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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8212

UNITED STATES OF AMERICA, Plaintiff, v. Jorge RENDEROS-Ayala, Defendant.	Magistrate Case No.: COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Sec., 1326 Attempted Entry After Being Ordered Deported/Removed

The undersigned complainant, being duly sworn, states:

On March 6, 2008, within the Southern District of California, the defendant Jorge RENDEROS-Ayala, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose, i.e., conscious desire, to enter the United States at the Calexico Port of Entry without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts which is incorporated herein by reference.

Diana I. Contreras
CBP Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 10th DAY OF MARCH 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Customs Border Protection Criminal Enforcement Officer Diana Contreras, declare under penalty of perjury, the following is true and correct:

On March 6, 2008, at approximately 7:20 A.M., Jorge RENDEROS-Ayala arrived at the Calexico, CA East Port of Entry's via pedestrian primary lanes. RENDEROS walked past primary Customs & Border Protection Officer (CBPO) J. Ciolina in pedestrian primary lanes without presenting any entry documentation. CBPO A. Ramirez returned RENDEROS to the pedestrian primary booth to make a proper entry. RENDEROS then presented a United States Birth Certificate to CBPO Ciolina. After further questioning RENDEROS, CBPO Ciolina admitted RENDEROS as a Citizen of the United States.

As RENDEROS made entry into the United States, CBPO Ramirez questioned RENDEROS as to his destination. CBPO Ramirez opted to escort RENDEROS-Ayala to the Pedestrian Secondary Office to verify citizenship.

At the pedestrian secondary office, CBPO F. Hernandez conducted routine record and fingerprint checks revealing RENDEROS is an alien, a native and citizen of El Salvador with no legal documents to enter into or be in the United States. RENDEROS was placed under arrest and advised of his rights, per Miranda. RENDEROS stated he understood his rights and was willing to answer questions without the presence of an attorney.

RENDEROS stated he is a citizen and national of El Salvador with no legal entry documents to enter, reside, or pass through the United States. RENDEROS stated he had not applied for or obtained the authorization of the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to enter the United States. RENDEROS admitted being previously deported by an Immigration Judge. RENDEROS stated he wanted to go to Oakland, CA to reunite with his children.

Executed on March 7, 2008, at approximately 6:00 P.M.

Diana Contreras, CBP
Criminal Enforcement Officer

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on March 6, 2008 in the violation of Title 8, United States Code, § 1326.

HON. Leo S. Papas
United States Magistrate Judge

3/8/08-12:48P
Date and Time